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TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

HAMMERMAN & GAINER, INC.

CIVIL ACTION NO. 9-1852

VERSUS

U.S. DISTRICT JUDGE DRELL

INTERMED CCS, INC.

MAGISTRATE JUDGE KIRK

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent (de novo) review of the record, including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that the motion to change venue, Document No. 5, is DENIED.

In so ruling, we note an error in plaintiff's arguments to the Court on its power to overrule rulings of a magistrate judge. In this case, there was no "ruling." The motion to transfer was referred to the magistrate judge only for a Report and Recommendation, not a ruling. The final authority to rule on this motion resided with the undersigned, not the magistrate judge. Despite this error, we find that the recommendations of the magistrate judge were entirely correct.

THUS DONE AND SIGNED, in chambers, in Alexandria, Louisiana, on this 27 day
of April, 2010.



DEE D. DRELL
UNITED STATES DISTRICT JUDGE